

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JULIO A. RAMOS,
Plaintiff,

United States Courts
Southern District of Texas
FILED

JUL 27 2010

David J. Bradley, Clerk of Court

Vs.

UNITED STATES OF AMERICA
Defendant.

CIVIL ACTION COMPLAINT

II. NATURE OF THE CASE:

Article II civil action of "Case" and "Contraversy"
Complaint of Injury Claims involving the United States as party.

I. CAUSE OF ACTION

Constitution Fifth Amendment injury violation arising from
the United States deprivation of Ramos' properties without due
process of law.

II. CLAIMS FOR RELIEF: Fed.R.Civ.R., Rule 8

(a)(1) Statement of Jurisdiction

The United States District Court for the Southern District
of Texas, Houston Division is invoked mandatory subject matter
jurisdiction under:

1. U.S. Constitution, Article III standing for "Case" and
"Controversy."

2. 28 U.S.C. §1331, Federal Questions Arising under:

a). U.S. Constitution Fifth Amendment, Deprivation of Ramos' property.

b). 18 U.S.C. §3114, Return of Ramos' Property.

c). Fed.R.Crim.P., Rule 41(e), Motion for Return of Ramos' Property.

d). Injury Damages pursuant to the above Substantive Violations.

(a)(2) Statement Of The Claims

A.

CLAIM THE UNITED STATES LIABLE FOR THE
SEIZURE AND DEPRIVATION OF RAMOS' PROPERTY IN
VIOLATION OF THE CONSTITUTION FIFTH AMENDMENT
DUE PROCESS OF LAW THAT ENTITLE JUDGMENT
RELIEF UNDER 28 U.S.C. §1331

FACTS IN SUPPORT

On 8/9/1999, the United States issued a warrant as to Julio A. Ramos, Case No. H-99-457-Cr, DKT. No. 6.

2. On 2/5/2000, the Dominican Republic acted under Article X, of the Bilateral Extradition Treaty and Article V of the United Nations Convention for the Return Execution of the Warrant upon seizing the following property: (See Exhibit 1)

3. 28 U.S.C. §881, "The Government may request the issuance of a warrant authorizing the seizure of property subject to forfeiture..."

4. No forfeiture or any other proceeding was taken by United States for possession of Ramos Property
5. On 8-26-2002 and 3-7-2007, DKT #755 and #863, Ramos filed for the Return of his property in Criminal Case No. H-99-457-04-cr. The Court fail to Return Ramos wrongfully seized Property.

(B)

Claim the United States liable for the Deprived Return of Ramos Seized Property In violation of the Constitution Fifth Amendment Due Process Laws -18 U.S.C §3114, Fed.R. Crim.P.-41(e) Entitle Judgement Relief under 28 USC §1331

Facts In Support

1. On 3-7-2007 and 8-26-2002 Ramos filed for the Return of his property in criminal proceeding case No. H99-457-04-cr, See DKt #863 and #755.
2. On 3-19-2007 and 9-13-2002 the Court fail to order the return of Ramos Property. See DKT #865 and #762.
3. Post Conviction Remedies for the return pf Ramos Seized Property under 18 U.S.C. §3114 and Fed,R,Crim,P. 41(e) was denied with deliberate indifference to the fact that the United States had no legal claim or possession to the property.

(A) (3) Demand For Judgement Relief

- (a) Ramos Demand claim of judgement Relief for the Return of Seized property in violation of the Due process of claims - 18 U.S.C. §3114 and Fed.R.Crim.P. 41(e), for Compensation in Injury Damages Twice the actual value of the property.

Seized Property: Actual Value Compensation

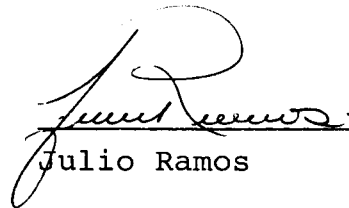
\$51,546,000.00

Total Amount: Compensatory Damages

Claim A \$17,182,000.00

Claim B \$34,364,000.00

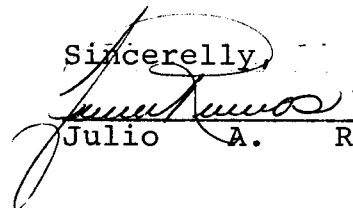
Total \$51,546.000.00


Julio Ramos

DECLARATION OF TRUHFULNESS

I, Julio A. Ramos swear under penalty of penalty of perjury pursuant to 28 U.S.C §1746 that the content and exhibits are true and accurate accounts of this cause for action.

Date executed: *July - 20 - 2010*

Sincerely,

Julio A. Ramos

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

Plaintiff,

versus

JULIO RAMOS,

Defendant.

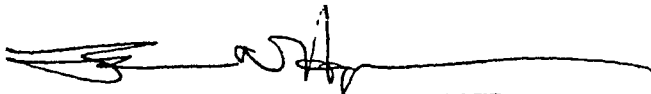
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CRIMINAL CASE H-99-457

Order on Julio Ramos's Property in the Dominican Republic

1. The United States Attorney will send written notice to the Dominican Republic official assigned to this case, that the United States has no interest in Julio Ramos's property.
2. If the United States believes it retains some interest in the property – despite the many years during which no action has been taken on it – the United States must file in the Dominican Republic courts by May 14, 2007.

Signed on March 19, 2007, at Houston, Texas.



Lynn N. Hughes
United States District Judge

LIST OF SEIZED PROPERTY FOR JULIO A. RAMOS

REAL PROPERTY

52 Acres for Aparments Construction.
1 House in Santiago REp. Dom.
1 Building Combined Rest. & Discotheque.

RESTAURANT EQUIPMENT:

10 Refrigerators
2 Ice Machines
5 5 Ton Air Conditioners
1 CD Players in 2800 CD
1 Key Chain bearing keys to various items in Restaurant

DISCOTHEQUE EQUIPMENT:

1 150 Kilowatt Electric Plant
1 100 Kilowatt Electric Plant
3 7½ Ton Air Conditioners
3 5 Ton Air Conditioners
2 10 Ton Air Condictions
1800 Chairs Seats
1 Demo Model 3500 CD Players (3800 CD Disck)
17 Music Speakers for Discotheque
6 Music Amplifiers
3 Music Control Disks
6 Music Power Bosters
11 Dico Ligthts
5 32 Inch TV
4 Computers
2 Computarized Cash Receivers

RESTAURANTS DISCOTHEQUE

590,000,00 Pesos (Aproximately \$40,000,00 U.S. in Liquors Stock
of assorted Conacs, Brandys, Liquors, Whiskeys, Beers, Soft Drinks

VEHICLES

1 Mercedes Benz Car 500 Black 1998
1 Acura Legend Car Blue 1994
@ Toyota Corolla Cars 1 Red 1 White 1994
1 Jeep Range Rover Gas 2000 Blue Color
1 Range Rover Diesel 2000 Green Color
1 Jeep Mitsubishi Montero 2000 Red Color

HEAVY EQUIPMENTS TRUCKS

- 1 Bull Dozer 355 Komatsu
- 1 Bull Dozer Case 400
- 1 Excavator 400 Komatsu
- 1 Excavator 200 Komatsu
- 1 Excavator PC 70 Komatsu
- 1 Unloader 600 Komatsu
- 1 Excavator PC 60 Cat
- 1 Excavator 225 Cat
- 1 Excavator 235 Cat
- 1 Excavator 450 Cat
- 1 Bull Dozer D6 Cat
- 4 Dump Trucks Mack
- 3 Tanks Trucks Mack
- 1 Dump Trucks Fords
- 2 White Volvo Trucks
- 1 Nisan Truck

BANK ACCOUNTS BUSSINESS RECORDS

OSAKA BANK ACCOUNTS.

- 1 Personal Account
- 2 Rest, Accounts
- 3 Disco Account

GLOBAL ACCOUNTS

- 1 Personal Account
- 2 Construction Account
- Heavy Equipment Account Dealership

BUSSINESS RECORDS

- 1 Construction Bussiness Records (Titles, Plans, Loan Paper Work
- 2 Rest, & Discotheque Bussiness Records (Title Receipts etc.
- 3 Heavy Equipment Bussiness Records (Title Loans Paperwork ect
- 4 Pwersonal Bussiness Records (Loans Made by and to Julio A, Ramos

PERSONAL PROPERTY

- 1 Rolex President watch (18K-gold with Diamonds ins & outside)
- 1 Rolex Platinum watch (18k-gold with Diamonds)
- 1 Rolex Stainless steel wath (18k-gold)
- 1 Longine wisnawer watch
- 3 Chains (Necklace 18K-gold
- 4 Rings 18k gold

PERSONAL PROPERTY

- ! Satellite Dish
- 1 Pool Table *ft
- 2 Cannon Camera
- 4 Pannasonic Home Phones
- 2 Motorola Cell Phones
- 1 Hand Gun Smith Wesson 9 Millimetro With Permits

PERSONAL PERSONAL PROPERTY APPAREL

All Personal Cloting Suits,Shirts,Coats,Ties,Shoes,ect Designer Taken.

MISCELLANEUS

- 1 All Monies & gifts given to various People by Julio A. Ramos which may been taken Confiscated as allegedly deriving from drug Proceeds.
- 2 Any items & Money not listed herein which may been taken

Julio Ramos
Federal Correctional
Institution
2680 US Hwy 301 South
Jesup, GA - 31599
United States



FEDERAL CORRECTIONAL INSTITUTION
2680 HIGHWAY 301 JESUP, GA 31599 DATE
THE ENCLOSED LETTER WAS PROCESSED
THROUGH SPECIAL MAILING PROCEDURES
FOR FORWARDING TO YOU. THE LETTER
HAS NEVER BEEN OPENED NOR INSPECTED.
IF THE WRITER RAISES A QUESTION OR
PROBLEM OVER WHICH THIS FACILITY HAS
JURISDICTION YOU MAY WISH TO
RETURN THE MATERIAL FOR FURTHER
INFORMATION OR CLARIFICATION.
IF THE WRITER ENCLOSES CORRESPONDENCE
FOR FORWARDING TO ANOTHER ADDRESSEE,
PLEASE RETURN THE ENCLOSURE
TO THE ABOVE ADDRESS.

United States District Court
Southern District of Texas
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60283-004

United States District Court
P.O. Box 61010
Houston, TX - 77208
United States

Legal Mail

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